

U.S. Serial No. 10/790,380
Amendment Dated December 29, 2005
Response To Office Action Dated September 1, 2005

REMARKS

The pending application was filed on March 1, 2004 with claims 1-33. The Examiner issued a Non-Final Office Action dated September 1, 2005 rejecting claims 1-33. In particular, the Examiner rejected claims 1-22 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 4,075,614 to *White*, and rejected claims 23-33 under 35 U.S.C. 103(a) as being unpatentable over *White* in view of United States Patent No. 5,349,338 to *Routman et al.*

Claims 1-33 were pending in the patent application. Claims 1-3, 12-14 and 23-25 were amended, and claims 2, 13 and 24 have been canceled without prejudice. Claims 2, 3, 13, 14, 24 and 25 have been amended to correct the dependency of these claims in view of claims 2, 13 and 24 being canceled. Thus, claims 1, 3-12, 14-23 and 25-33 remain pending in the application. In view of the arguments set forth below, claims 1, 3-12, 14-23 and 25-33 are allowable, and the Examiner is respectfully requested to withdraw the rejections and issue a Notice of Allowance.

I. REJECTION OF CLAIMS 1-22 UNDER 35 U.S.C. §103(a)

The Examiner rejected claims 1-22 under 35 U.S.C. §103(a) as being unpatentable over United States Patent No. 4,075,614 to *White* and provided an explanation for the rejection of each claim. In particular, the Examiner stated that *White* discloses the claimed fire detector (16), the audible alarm (25), the housing (11 and 12), and a resonant element

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(col. 5, lines 21-25). The Examiner stated that the Examiner understood that *White* mentions a fire detector as opposed to a smoke detector. However, the Examiner further stated that both devices detect a hazardous fire condition. As concerning claim 2, the Examiner stated that *White* discloses an enhancement chamber partially formed by an inner surface of the housing and a mounting board (18) positioned within the housing.

Claims 1 and 12 have been amended. In particular, claim 1 has been amended to include "a control board, a detection device for detecting smoke coupled to the control board . . . a sound quality enhancement chamber partially formed by an inner surface of the housing and a plate positioned within the housing between the control board and the housing and generally parallel to the control board . . ." Claim 12 has been similarly amended.

White does not disclose a sound quality enhancement chamber partially formed by a plate positioned within the housing between the control board and the housing and generally parallel to the control board. Instead, *White* discloses only a control board. *White* does not disclose a control board and as an additional element, a plate positioned generally parallel to the control board. The plate, as claimed, enhances the quality of sounds produced by the sound producing device. Such a configuration would not have been rendered obvious by *White* at the time the invention was made.

Inclusion of the plate into the housing, thereby forming a sound quality enhancement chamber, is not obvious in view of *White*. *White's* statement, "[i]t is desirous to provide the free space within the housing 11, 12, that is the space within in the housing 11, 12 that is not

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occupied by solid components, at least greater than 30 percent so as to provide a resonance cavity for the audible alarm," column 5, lines 21-25, simply discloses a resonance cavity within a fire detector. No mention is made in *White* of including an additional plate forming a sound quality enhancement chamber. Such chamber, as claimed in claims 1 and 12, produces sound quality enhancements that are superior to configuration disclosed in *White*. For at least this reason, claims 1 and 12, and those claims depending therefrom, are patentable, and the Examiner is respectfully requested to withdraw the rejection.

As concerning dependent claims 4-7 and 16-19, *White* does not disclose a gap existing at the edge of a plate to enhance sound quality from a resonance chamber formed in part by the plate. As discussed at page 6, line 19 – page 7, line 7, the gap unexpectedly increases quality of the sound emitted from the sound quality enhancement chamber. In addition, *White* does not disclose a particular volume for the resonance chamber. Moreover, claims 4-7 and 16-19 depend from amended claims 1 and 12 respectively. Thus, for at least these reasons, claims 4-7 and 16-19 are allowable, and the Examiner is respectfully requested to withdraw the rejection.

II. REJECTION OF CLAIMS 23-33 UNDER 35 U.S.C. §103(a)

The Examiner rejected claims 23-33 under 35 U.S.C. §103(a) as being unpatentable over *White* in view of United States Patent No. 5,349,338 to *Routman et al.* Claim 23 has been amended in the same fashion as claims 1 and 12. In particular, claim 23 has been

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amended to include "a control board, a detection device for detecting smoke coupled to the control board . . . a sound quality enhancement chamber partially formed by an inner surface of the housing and a plate positioned within the housing between the control board and the housing and generally parallel to the control board" Claim 23 has been amended to differentiate claim 23 from the combination of *White* and *Routman*. Claim 23 is patentable for all of the reasons previously set forth regarding claim 1. Therefore, for at least those reasons, amended claim 23, and those claims depending therefrom, are patentable, and the Examiner is respectfully requested to withdraw the rejection.

III. PETITION FOR ONE MONTH EXTENSION OF TIME

This is a Petition for a One Month Extension of Time pursuant to 37 CFR § 1.136. Please charge the fee in the amount of \$60.00 for a one (1) month extension of time pursuant to 37 CFR § 1.17(a)(1) and charge any underpayment or credit any overpayment to Deposit Account No. 50-0951. A duplicate copy of this communication is enclosed.

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CONCLUSION

For at least the reasons given above, claims 1, 3-12, 14-23, and 25-33 define patentable subject matter and are thus allowable. Should the Examiner believe that anything further is necessary in order to place the application in better condition for allowance, the Examiner is respectfully requested to contact the undersigned representative at the telephone number listed below.

No fees, in addition to the extension of time, are believed due; however, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0951.

Respectfully submitted,



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Attorney Docket No.: 7654-3